

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 2336 – HB 2484**

March 21, 2018

**SUMMARY OF ORIGINAL BILL:** Removes criminal liability for possession of a firearm on posted premises for persons who have a valid handgun carry permit and immediately leave the premises after being asked to leave.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (015505):** Deletes and replaces language in Section 1 of the proposed legislation changing the exception from prosecution to a defense against prosecution.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Tennessee Code Annotated § 39-17-1359 prohibits a person from carrying a firearm if proper signage is posted on the premises, and makes it a class B misdemeanor for possessing a firearm on posted property.
- Tennessee Code Annotated §§ 39-17-1315 and -1351 allow certain persons to carry a handgun at all times, including but not limited to, off duty law enforcement officers, officers of the Department of Correction, and bonded and sworn deputy sheriffs.
- The proposed legislation removes criminal liability and provides for a defense for a handgun carry permit holder or law enforcement officer possessing a firearm on such properties if the permit holder ceases the violation upon receiving notice and the violation was committed negligently.
- According to the Administrative Office of the Courts, there have been no convictions in the past three years under Tenn. Code Ann. § 39-17-1359.
- There will not be a sufficient change in class B misdemeanor prosecutions for state or local government to experience any impact in revenue or expenditures.
- There will be no fiscal impact to the courts under the proposed legislation.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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